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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,272	09/30/2002	Akira Ohmura	106121.08	5682

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EXAMINER	
HERNANDEZ, NELSON D	
ART UNIT	PAPER NUMBER
2622	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/065,272	OHMURA ET AL.	
	Examiner	Art Unit	
	Nelson D. Hernandez	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 November 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *14-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *14-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *03 November 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings were received on November 3, 2006. These drawings are acceptable.

Specification

2. The Examiner acknowledges the new title filed on November 3, 2006. The new title is acceptable.

Response to Arguments

3. Applicant's arguments filed on November 3, 2006 have been fully considered but they are not persuasive.

The Applicant argues the following:

a. Berstis and Koyama et al., even when combined, do not disclose or suggest the combinations of features recited in independent claims 14, 21 and 27. Independent claims 14 and 21 recite that a digital camera has a manually operable power switch that switches the digital camera between an operative state and an inoperative state, and these claims further recite that the digital image storage system includes "a controller that controls the transmission of the digital images from the digital camera memory to the storage medium without a manual operation of the power switch to switch the digital camera from the

inoperative state to the operative state." Independent claim 27 recites a digital camera having a manually operable power switch that switches the digital camera between an operative state and an inoperative state, the digital camera further having "a controller that receives a signal through the first connector [of the camera] for switching the digital camera from the inoperative state to the operative state without a manual operation of the power switch." In rejecting these features of Applicants' claims, the Office Action relies upon Koyama et al. In particular, the Office Action relies on the feature of Koyama et al. involving the switching between a sleep mode and an active mode. However, even if Berstis is modified with the teachings of Koyama et al. relating to the active mode and sleep mode, the combinations of features recited in Applicants' claims 14, 21 and 27 would not result.

Koyama et al. teaches providing an interface of a device (for example, a digital camera) with an active mode and a sleep mode. The device interface is switched between the active and sleep modes in order to reduce power consumption. See, for example, col. 7, lines 32-52 and col. 17, lines 54-56. The Koyama et al. sleep mode is not something that is selected by operation of a manually operable power switch. Rather, the interface of the Koyama et al. device is placed into the sleep mode by the control unit 213. See, for example, col. 7, lines 50-51. The Koyama et al. control unit 213 switches between the interface active and sleep modes based upon the passage of a predetermined time period. See, for example, col. 8, lines 4-13.

Accordingly, Koyama et al. does not disclose or suggest the combinations of features recited in independent claims 14, 21 and 27, in which a digital camera is switched from an inoperative state that is selected by a manually operable power switch, to an operative state without a manual operation of the power switch. Thus, Koyama et al. does not disclose or suggest modifying the Berstis system in order to have the controllers recited in Applicants' independent claims 14, 21 and 27. Withdrawal of the rejection is requested.

➢ The Examiner acknowledges that the sleep mode in Koyama is not something that is selected by operation of a manually operable power switch. However, the Examiner introduce the Koyama reference to show the limitation of automatically switching from an inoperative mode to an operative mode and vice versa based on a detection of a connection between the camera and an external device. Berstis does not disclose said automatic function, so the Examiner is introducing the Koyama reference to modify Berstis to have that automatic function that can occur without the operation of any user interface switch or buttons (i.e. power switch) in the camera, since the invention in Koyama discloses that said switch operation from an inoperative state (sleep mode) to the operative state (active mode) is perform automatically (Col. 17, line 50 – col. 18, line 35) which teaches that the operation is performed without intervention by the user. Therefore, one of ordinary skill in the art at the time the invention was made would found obvious to modify Berstis with the Koyama invention to have the camera changing from an inoperative state to an operative state without

using the power switch of any user interface. Therefore, the rejections made to claims 14, 21 and 27 are maintained.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 14-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis, US Patent 6,721,001 B1 in view of Koyama, US 6,237,106 B1.

Regarding claim 14, Berstis discloses a digital image storage system comprising: a digital camera (Fig. 1: 102) having a memory (Fig. 2: 214) capable of storing digital images and a manually operable power switch (a power switch is inherently taught by Berstis; a power switch is necessitated in Berstis to switch from an operative state and an inoperative state the digital camera) that switches the digital camera between an operative state and an inoperative state; a data storage (Berstis discloses that the images are transmitted to a server or a computer system; col. 2, lines 40-46; col. 4, lines 53-63) including a docking station (Fig. 1: 106) on which the digital camera can be placed and a storage medium (by teaching that the images are transmitted to a server or a computer system, Berstis inherently discloses a data storage having a storage medium for storing the digital images since a storage medium is necessitated to store the image data; col. 2, lines 40-46; col. 4, lines 53-63) that

stores the digital images transmitted from the digital camera memory through the docking station; a controller (Fig. 2: 216) that controls the transmission of the digital images from the digital camera memory to the storage medium (Col. 1, lines 45-50; col. 2, line 15 – col. 3, line 8; col. 4, lines 29-63).

Berstis does not explicitly disclose that the controller controls the transmission of the digital images from the digital camera memory to the storage medium without a manual operation of the power switch to switch the digital camera from the inoperative state to the operative state.

However, Koyama teaches a communication method wherein when a device (i.e. a digital camera, video tape recorder "VTR", etc) detects connection to an external device, it automatically changes an inoperative state (sleep mode) to an operative state (active mode) enabling communication between both devices and when communication between the two devices is terminated, the first device waits a predetermined period of time before switching back to the inoperative state (sleep mode) (Col. 17, line 50 – col. 18, line 35). Switching from an inoperative state to an operative state based on a detection of a connected device and from an operative state to an inoperative state based on a termination of communication is advantageous because it would help the digital image storage system to reduce power consumption and to establish a communication path to the image storage when necessary and would also reduce the steps performed in order to transfer digital images from the digital camera to the storage device.

Therefore, taking the combined teaching of Berstis in view of Koyama as a whole, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to modify the digital image storage system of Berstis by having the circuit to change the status of the camera from a sleep mode to active mode in response to a connection detected between the camera and said image storage and to switch back to sleep mode after elapsed of a predetermined period of time after transmission is terminated. The motivation to do so would enable the camera to reduce power consumption and to establish a communication path to the image storage when necessary as suggested by Koyama (Col. 2, lines 15-18) and would also reduce the steps performed in order to transfer digital images from the digital camera to the storage device.

Regarding claim 15, limitations can be found in claim 14.

Regarding claim 16, the combined teaching of Berstis in view of Koyama as applied to claim 15 teaches that the controller transmits a signal to the digital camera for switching the digital camera from the inoperative state to the operative state before the digital images are transmitted from the digital camera (Koyama teaches changing from the inoperative state to the operative state when the external device is connected prior to start communication; col. 17, line 50 – col. 18, line 35).

Regarding claim 17, limitations can be found in claims 14 and 16.

Regarding claim 18, limitations can be found in claim 14.

Regarding claim 19, the combined teaching of Berstis in view of Koyama fails to teach that the controller is located at the data storage.

However, Official Notice is taken that controllers housed in external apparatuses for controlling different operations (i.e. capturing images, copying image files, deleting image files, controlling capturing conditions, controlling camera modes, etc.) in a camera are notoriously well known in the art. Having a controller for controlling different operations in a camera is advantageous because it would reduce the size and cost of the digital camera since the processes would be performed in the external apparatus.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the digital image storage system of Berstis in view of Koyama by having the controller housed in the data storage. The motivation to do so would have been to improve the digital image storage system by reducing the size and cost of the digital camera since the processes would be performed in the data storage.

Regarding claim 20, the combined teaching of Berstis in view of Koyama teaches that the docking station has a shape to fit a bottom of the digital camera (See Berstis fig.1, docking station 106 has a shape to fit a bottom part of the digital camera 102; col. 2, lines 15-39).

Regarding claim 21, Berstis discloses a digital image storage system comprising: a digital camera (Fig. 1: 102) having a memory (Fig. 2: 214) capable of storing digital images and a manually operable power switch (a power switch is inherently taught by Berstis; a power switch is necessitated in Berstis to switch from an operative state and an inoperative state the digital camera) that switches the digital camera between an operative state and an inoperative state; a docking station (Fig. 1:

106) on which the digital camera can be placed; a storage medium (by teaching that the images are transmitted to a server or a computer system, Berstis inherently discloses a data storage having a storage medium for storing the digital images since a storage medium is necessitated to store the image data; col. 2, lines 40-46; col. 4, lines 53-63) that stores the digital images transmitted from the digital camera memory through the docking station; and a controller (Fig. 2: 216) that controls the transmission of the digital images from the digital camera memory to the storage medium (Col. 1, lines 45-50; col. 2, line 15 – col. 3, line 8; col. 4, lines 29-63).

Berstis does not explicitly disclose that the controller controls the transmission of the digital images from the digital camera memory to the storage medium without a manual operation of the power switch to switch the digital camera from the inoperative state to the operative state.

However, Koyama teaches a communication method wherein when a device (i.e. a digital camera, video tape recorder "VTR", etc) detects connection to an external device, it automatically changes an inoperative state (sleep mode) to an operative state (active mode) enabling communication between both devices and when communication between the two devices is terminated, the first device waits a predetermined period of time before switching back to the inoperative state (sleep mode) (Col. 17, line 50 – col. 18, line 35). Switching from an inoperative state to an operative state based on a detection of a connected device and from an operative state to an inoperative state based on a termination of communication is advantageous because it would help the digital image storage system to reduce power consumption and to establish a

communication path to the image storage when necessary and would also reduce the steps performed in order to transfer digital images from the digital camera to the storage device.

Therefore, taking the combined teaching of Berstis in view of Koyama as a whole, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to modify the digital image storage system of Berstis by having the circuit to change the status of the camera from a sleep mode to active mode in response to a connection detected between the camera and said image storage and to switch back to sleep mode after elapsed of a predetermined period of time after transmission is terminated. The motivation to do so would enable the camera to reduce power consumption and to establish a communication path to the image storage when necessary as suggested by Koyama (Col. 2, lines 15-18) and would also reduce the steps performed in order to transfer digital images from the digital camera to the storage device.

Regarding claim 22, limitations can be found in claim 21.

Regarding claim 23, the combined teaching of Berstis in view of Koyama as applied to claim 15 teaches that the controller transmits a signal to the digital camera for switching the digital camera from the inoperative state to the operative state before the digital images are transmitted from the digital camera (Koyama teaches changing from the inoperative state to the operative state when the external device is connected prior to start communication; col. 17, line 50 – col. 18, line 35).

Regarding claim 24, limitations can be found in claims 21 and 23.

Regarding claim 25, limitations can be found in claim 21.

Regarding claim 26, the combined teaching of Berstis in view of Koyama teaches that the docking station has a shape to fit a bottom of the digital camera (See Berstis fig.1, docking station 106 has a shape to fit a bottom part of the digital camera 102; col. 2, lines 15-39).

Regarding claim 27, Berstis discloses a digital camera (Fig. 1: 102) that can be placed on a docking station (Fig. 1: 106), the digital camera comprising: a memory (Fig. 2: 214) capable of storing digital images; a battery (Fig. 2: 218); a manually operable power switch (a power switch is inherently taught by Berstis; a power switch is necessitated in Berstis to switch from an operative state and an inoperative state the digital camera) that switches the digital camera between an operative state and an inoperative state; a first connector (connector 217 as shown in fig. 2) through which data communication between the docking station and the digital camera is carried out when the digital camera is placed on the docking station; a controller (Fig. 2: 216) that controls the transmission of the digital images from the digital camera memory to the storage medium; and a second connector (connector 219 as shown in fig. 2) through which the docking station supplies the battery with electric power to charge the battery when the digital camera is placed on the docking station (Col. 1, lines 45-50; col. 2, line 15 – col. 3, line 8; col. 4, lines 29-63).

Berstis does not explicitly disclose that the controller receives a signal through the first connector for switching the digital camera from the inoperative state to the operative state without a manual operation of the power switch.

However, Koyama teaches a communication method wherein when a device (i.e. a digital camera, video tape recorder "VTR", etc) detects connection to an external device, it automatically changes an inoperative state (sleep mode) to an operative state (active mode) enabling communication between both devices and when communication between the two devices is terminated, the first device waits a predetermined period of time before switching back to the inoperative state (sleep mode) (Col. 17, line 50 – col. 18, line 35). Switching from an inoperative state to an operative state based on a detection of a connected device and from an operative state to an inoperative state based on a termination of communication is advantageous because it would help the digital image storage system to reduce power consumption and to establish a communication path to the image storage when necessary and would also reduce the steps performed in order to transfer digital images from the digital camera to the storage device.

Therefore, taking the combined teaching of Berstis in view of Koyama as a whole, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to modify the digital image storage system of Berstis by having the circuit to change the status of the camera from a sleep mode to active mode in response to a connection detected between the camera and said image storage and to switch back to sleep mode after elapsed of a predetermined period of time after transmission is terminated. The motivation to do so would enable the camera to reduce power consumption and to establish a communication path to the image storage when necessary as suggested by Koyama (Col. 2, lines 15-18) and would also reduce the

steps performed in order to transfer digital images from the digital camera to the storage device.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nelson D. Hernandez whose telephone number is (571) 272-7311. The examiner can normally be reached on 8:30 A.M. to 6:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nelson D. Hernandez
Examiner
Art Unit 2622

NDHH
January 22, 2007

TUAN HO
PRIMARY EXAMINER